

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-196-T - ORDER NO. 2009-577
SEPTEMBER 4, 2009

IN RE: Application for the Transfer of Certificate of) ORDER WAIVING
Public Convenience and Necessity No. 9662-) REGULATION 103-135(4)
A from Cardinal Moving and Storage, Inc. to)
DeHaven's Transfer & Storage of Charlotte,)
Inc.)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of DeHaven's Transfer & Storage of Charlotte, Inc. (“DeHaven”) to waive S.C. Code Ann. Regs. 103-135(4) in order for it to operate under Class E Certificate of Public Convenience and Necessity No. 9662-A that it has obtained from Cardinal Moving and Storage, Inc. (“Cardinal”).¹ According to the record, DeHaven acquired this Certificate on December 8, 2008, shortly before Cardinal filed for Chapter 7 Bankruptcy in North Carolina. DeHaven asserts that since Cardinal is in bankruptcy, it will cause a hardship for it to prove “the authorized services have been continuously offered and reasonably provided... for a time not less than twelve months prior to the date of filing the application” as the above Regulation requires in this instance.

We find that it would indeed produce “unusual hardship or difficulty” (S.C. Code Ann. Regs. 103-803) to prove that the services provided by Cardinal were continuous in

¹ Class E Certificate No. 9662-A permits its holder to operate as a mover of household goods between points and places in South Carolina via irregular routes.

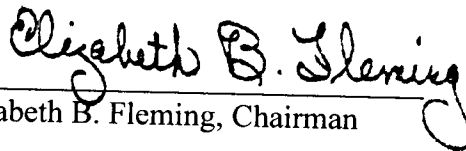
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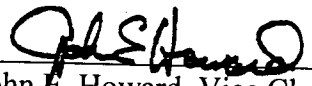
order to comply with Regulation 103-135(4) because it is in Chapter 7 Bankruptcy. Therefore, DeHaven's request to waive Regulation 103-135(4) is granted by this Commission under the authority of S.C. Code Ann. Regs. 103-803.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)